

**ZB# 06-20**

**Highland Operating Co.**

**71-1-69 & 31.1**

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
Granted 6-12-06

06-20 Highland Oper. (N. Biagini) & P  
Old Forge Hill Rd (71-1-64+31.1)

**NEW WINDSOR ZONING BOARD OF APPEALS**

SBL: 71-1-31.1

In the Matter of the Application of

**MEMORANDUM OF  
DECISION GRANTING**

**HIGHLAND OPERATING LTD.**

**AREA**

**CASE #06-20**

**WHEREAS, Robert Biagini**, owner(s) of the property on Old Forge Hill Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 27,747 sq. ft. Minimum Lot Area and; 105 ft. Minimum Lot Width and; 50 ft. Lot Frontage for a proposed two-family dwelling on two vacant lots to be combined to one in an R-5 Zone (Bulk Tables R-5 line 6-C,D & H) (71-1-69 & 31.1)

**WHEREAS**, a public hearing was held on June 12, 2006 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared on behalf of this Application; and

**WHEREAS**, there were three spectators appearing at the public hearing; and

**WHEREAS**, one spoke in favor of and two spoke in opposition to the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Official Town Newspaper, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a proposed two-family residential property located in a neighborhood of multi-family residential properties in an R-5 zone.
  - (b) The applicant originally proposed a multi-family use for this property but, is now proposing the construction of a two-family residence, which is an allowed use in this zone.

- (c) The property is presently used as a "Dumping Ground".
- (d) The property consists of two vacant lots which will be combined into a single lot at the time of the construction of the residence.
- (e) In constructing the dwelling, the applicant will not remove any trees or substantial vegetation.
- (f) In building the structure, the applicant will not build on top of nor will it interfere with any easements or rights-of-way including, but not limited to, water, sewer and electrical easements
- (g) One of the objectives spoke about the diversion of water onto his property. The applicant agreed to construct a curtain drain or whatever is necessary to keep water from going onto his property.
- (h) The house will be similar in size and nature to other houses in the neighborhood.

**WHEREAS**, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.



8. The interests of justice will be served by allowing the granting of the requested area variance(s) provided that the two contiguous lots owned by the applicant be combined into a single lot prior to the issuance of any building permit for building on the lot and that a curtain drain or similar drainage construction be installed on the property as needed to prevent the flow of water drainage onto adjacent properties.

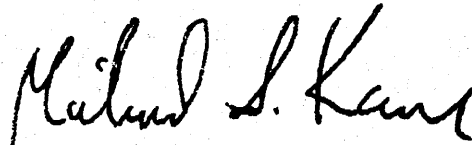
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 27,747 sq. ft. Minimum Lot Area and; 105 ft. Minimum Lot Width and; 50 ft. Lot Frontage for a proposed two-family dwelling on two vacant lots to be combined to one at Old Forge Hill Rd. in an R-5 Zone (Bulk Tables R-5 line 6-C,D & H) (71-1-69 & 31.1) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: June 12, 2006



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Chairman

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**DATE: March 14, 2006**

**APPLICANT: Highland Operating Ltd.  
C/O Vincent Biagini  
PO Box 479  
Washingtonville, NY 10992**

**COPY**

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: March 13, 2006**

**FOR : Highland Operating Ltd.**

**LOCATED AT: Old Forge Hill Rd.**

**ZONE: R-5      Sec/Blk/ Lot: 71-1-69 & 71-1-31.1**

**DESCRIPTION OF EXISTING SITE: 2 Vacant Lots to be combined for a 2 family dwelling.**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

- 1. 300-10 Use/Bulk Table R-5 Zone, Line 6 Two Family Dwellings. A variance for Lot Area, Lot Width and Street Frontage is required.**

*Louis J. Vukobrat*  
BUILDING INSPECTOR

	PERMITTED	PROPOSED OR AVAILABLE:	VARIANCE REQUEST:
ZONE: R-5      USE: Two Family Dwelling			
6-C	MIN LOT AREA: 65,000 Sq. Ft.	37,253 Sq. Ft.	27,747
6-D	MIN LOT WIDTH: 125'	20'	105'
6-E	REQ'D FRONT YD: 45'	60'	N/A
6-F	REQ'D SIDE YD: 20'	43'	N/A
6-F	REQ'D TOTAL SIDE TD: 40'	86'	N/A
6-G	REQ'D REAR YD: 50'	50+'	N/A
6-H	REQ'D FRONTAGE: 70'	20'	50'

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Low

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

MAR 13 2006

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway pond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

FOR OFFICE USE ONLY:  
Building Permit #: 2006-199

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises HIGHLAND OPERATEING LTD

Address P.O. BX 479 Phone # 845-561-2234

Mailing Address WASHINGTONVILLE N.Y 10992 Fax # 845-561-7096

Name of Architect DESIGN GP

Address RT 32 CENTRAL VALLEY NY Phone 928-2288

Name of Contractor HIGHLAND OPERATEING LTD

Address P.O. BX 479 WASHINGTONVILLE NY 10992 Phone 845-561-2234

State whether applicant is owner, lessee, agent, architect, engineer or builder BLDR OWNER

If applicant is a corporation, signature of duly authorized officer Vincenzo Beaghi  
(Name and title of corporate officer)

1. On what street is property located? On the OLD WINDSOR DR. side of \_\_\_\_\_  
and 2000' feet from the intersection of RT 32 (N, S, E or W)

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y N X

3. Tax Map Description: Section 71 Block 1 Lot 31.1

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy VACANT LAND b. Intended use and occupancy 2 FAMILY

5. Nature of work (check if applicable) ☒ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other

6. Is this a corner lot? NO

7. Dimensions of entire new construction. Front 70'± Rear 70'± Depth 28 Height 20' No. of stories 2

8. If dwelling, number of dwelling units: 2 Number of dwelling units on each floor 2

Number of bedrooms 8 Baths 4 Toilets 6 Heating Plant: Gas GAS Oil \_\_\_\_\_  
Electric Hot Air \_\_\_\_\_ Hot Water ☒ If Garage, number of cars 4

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \$225,000 Fee \$50.00 **ZONING BOARD**

on # 1428

3 1/3 106  
date

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors: Frank Liel & Louis Kryohear  
New Windsor Town Hall  
655 Union Avenue  
New Windsor, New York 12553  
(845) 563-4818  
(845) 563-4895 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

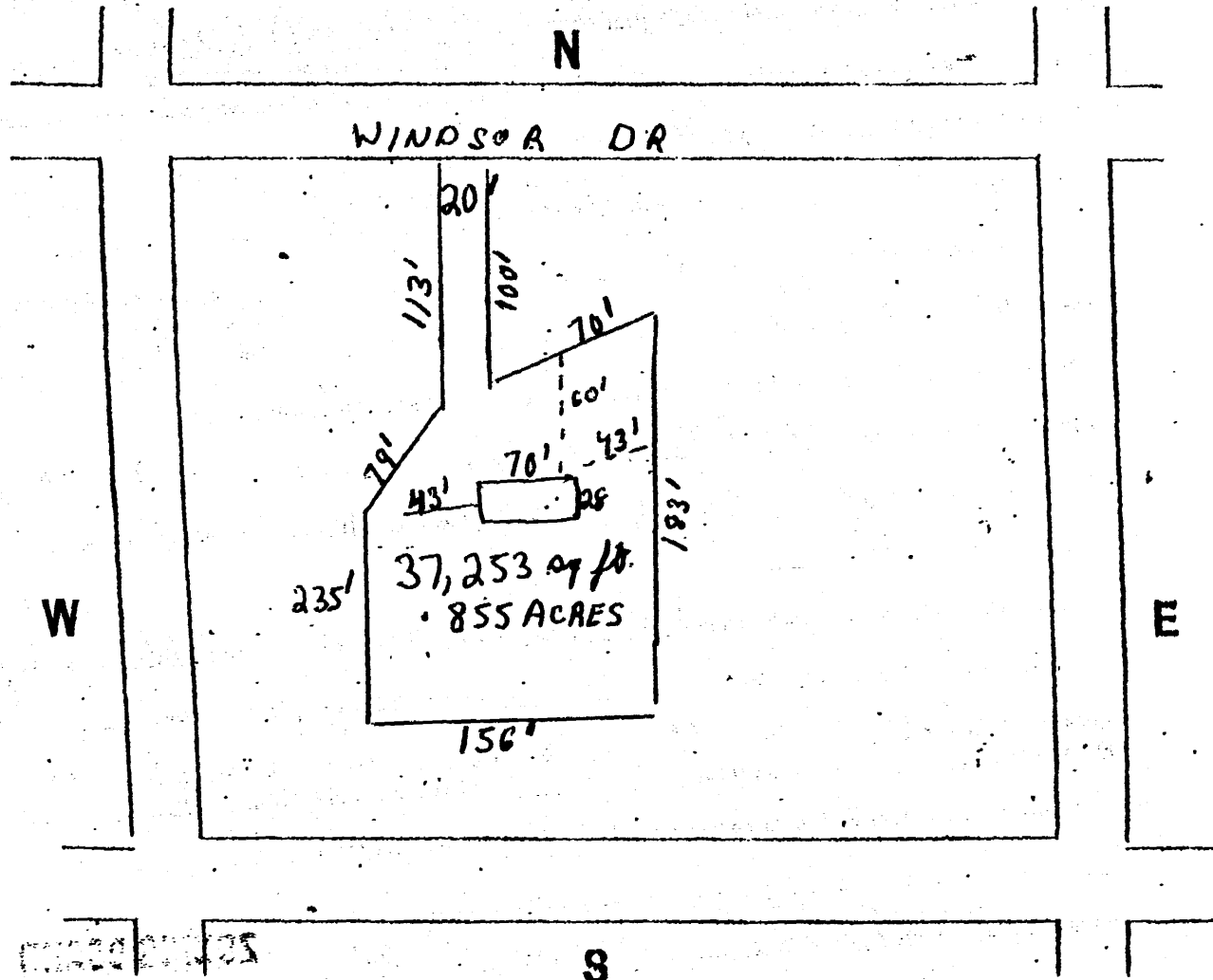
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

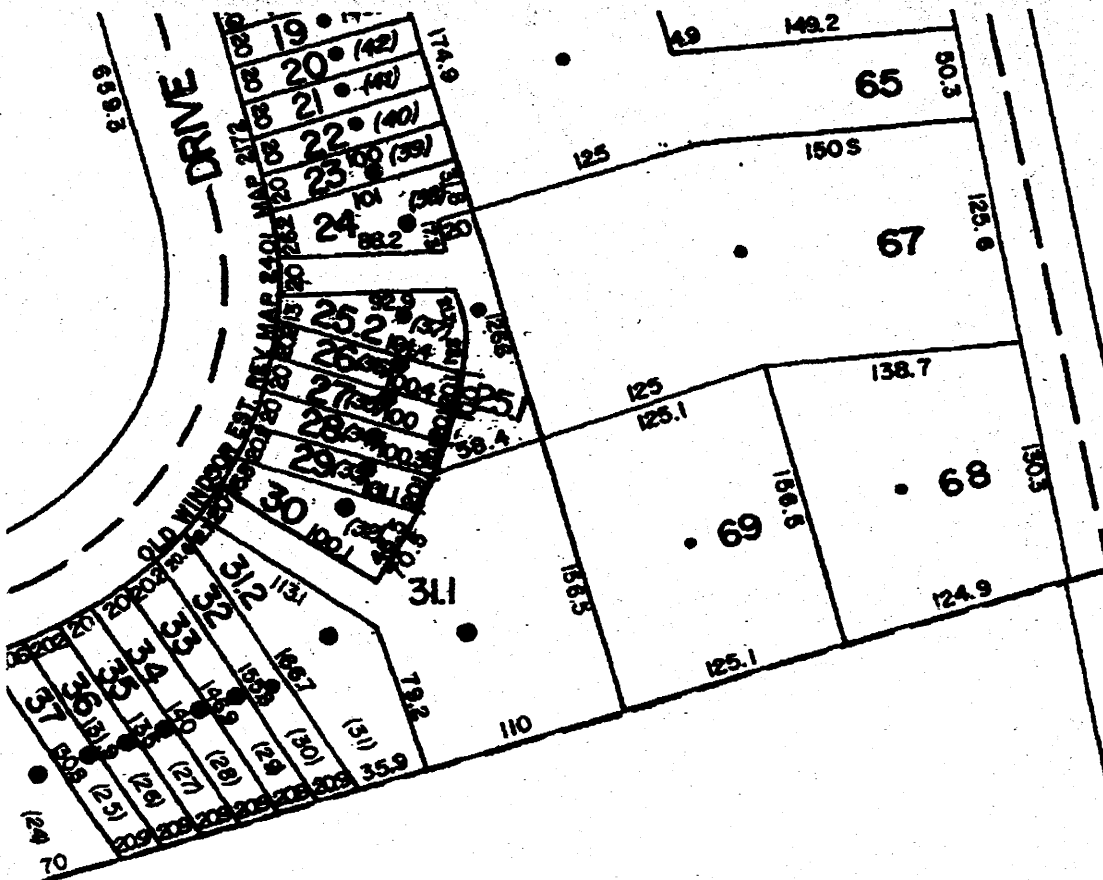
Vincent D. Beagins Pres P.O. BX 479 WASHVILLE N.Y. 10992  
(Signature of Applicant) (Address of Applicant)

Vincent D. Beagins Pres P.O. BX 479 WASHVILLE N.Y. 10992  
(Owner's Signature) (Owner's Address)

PLOT PLAN

... and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.





R-5

3

2

N.Y. STATE-HWY. 32

E 614,500

N 957,000















1763

# Town of New Windsor

555 Union Avenue  
New Windsor, N.Y. 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-3101

## Office of the Assessor

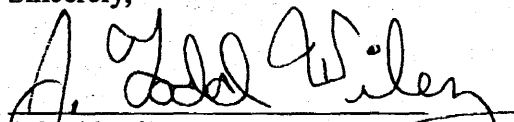
Assessor J. Todd Wiley, IAO

### Memorandum

To: Myra Mason, Secretary to the Zoning Board  
From: Todd Wiley, Assessor  
Date: August 9, 2006  
Re: Request to combine parcels

Please be advised, that as of this date, I have signed and forwarded to the Orange County Real Property Tax Service Agency, a Request For Combination on the two parcels known as S-B-L 71-1-31.1 and 71-1-69. Owner of record is Highland Operating Ltd (Mr. Biagini) These parcels are scheduled to appear on the 2007 assessment roll of May 1, 2007 as one parcel.

Sincerely,

  
J. Todd Wiley  
Assessor

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: JULY 25, 2006**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 83.12 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #06-20**

**NAME & ADDRESS:**

**Highland Operating Ltd.  
P.O. Box 479  
Washingtonville, NY 10992**

**THANK YOU,**

**MYRA**

**L.R.07-25-06**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #06-20      TYPE: AREA      TELEPHONE: 561-2234

APPLICANT:  
Highland Operating Ltd.  
P.O. Box 479  
Washingtonville, NY 10992

RESIDENTIAL:	\$ 50.00	CHECK # <u>3446</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:      RESIDENTIAL \$300.00      CHECK # 3447



<u>DISBURSEMENTS:</u>	<u>MINUTES</u>	<u>ATTORNEY</u>
	<u>\$7.00 / PAGE</u>	<u>FEE</u>

PRELIMINARY:	<u>6</u>	PAGES	<u>\$ 42.00</u>	<u>\$ 35.00</u>
2 <sup>ND</sup> PRELIMINARY:	___	PAGES	<u>\$ _____</u>	<u>\$ _____</u>
PUBLIC HEARING:	<u>13</u>	PAGES	<u>\$ 91.00</u>	<u>\$ 35.00</u>
PUBLIC HEARING:	___	PAGES	<u>\$ _____</u>	<u>\$ _____</u>

LEGAL AD: Publish Date: 05-19-06      \$ 13.88

TOTAL:	<u>\$146.88</u>	<u>\$ 70.00</u>
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ESCROW POSTED:      \$ 300.00  
LESS: DISBURSEMENTS:      \$ 216.88

AMOUNT DUE:      \$ \_\_\_\_\_

REFUND DUE:      \$ 83.12

Cc:

L.R. 07-25-06

HIGHLAND\_OPERATING\_LTD\_(06-20)

Mr. Robert Biagini appeared before the board for this proposal.

MR. KANE: Request for 27,747 square foot minimum lot area and 105 foot minimum lot width and 50 ft. lot frontage for a proposed two-family dwelling on two vacant lots to be combined to one at Old Forge Hill Road. Same as the prelim, tell us what you want to do, sir.

MR. BIAGINI: It's a vacant piece, we want to combine the two parcels together, put one two-family home on it.

MR. KANE: Cut down any trees or substantial vegetation?

MR. BIAGINI: No.

MR. KANE: Creating water hazards or runoffs?

MR. BIAGINI: No, none.

MR. KANE: You have a proposed access road?

MR. BIAGINI: That's shown right here.

MR. KANE: Common ownership with these houses over here or just for this?

MR. BIAGINI: Just for our piece.

MR. TORPEY: Is each unit going to have a garage?

MR. BIAGINI: No.

MR. TORPEY: Who maintains that road?



MR. BIAGINI: By the owner of the home. People use the property for a dumping ground, usually happens to the last piece in a subdivision, right?

MR. LUNDSTROM: There was a shopping cart from Caldor in there.

MR. BIAGINI: Or Grants.

MR. KANE: I'm going to open it up to the public at this point, see if anybody's here for this particular public hearing. Please state your name and address and speak loud enough for this young lady to hear you.

MS. SHAPIRO: Fran Shapiro, 45 Vails Gate Heights Drive, New Windsor. I have several concerns, a friend helped me to go through some of this information and it appears that the gentleman doesn't have a third of the required frontage, it appears that the building inspector did a good job initially did the right thing and disapproved of this application, it appears that the new lot area is over 40 percent short of the permitted use. Please correct me if this is not correct.

MR. KANE: That's why he's here.

MS. SHAPIRO: And my concern really is I don't know if you're familiar with that area but I don't believe it could be built the same way again. Now there are townhomes, there's South Gate Village, there are single homes, the density is beyond and it really is a shame what happened to this area 36 years ago. Also I don't understand building a two-family home here, I understand initially they wanted townhomes, is that correct?

MR. BIAGINI: Yes.

MS. SHAPIRO: That seemed very far reaching for an area

with this density problem, its way in the back, I don't know if you're familiar. Is anyone on the board familiar?

MR. KANE: Been here 20 years, I know where it is.

MS. SHAPIRO: The other concern would be the building and the backs of the, you know, the Chinese restaurant and all the stores that are there with the dumpsters and if the trees are cut down, you would see clear through.

MR. BIAGINI: We're leaving that tree line up.

MS. SHAPIRO: So again I guess the main reasons to wonder about this is building a two-family home and is there any other alternative that you could see happening here?

MR. BIAGINI: There was townhouses which would have been more than two.

MS. SHAPIRO: Right but that was denied and I'm very happy that was denied because it's very crowded and that property has been vacant for 36 years that I've been there.

MR. TORPEY: It's a dumping ground.

MR. BIAGINI: We've paid taxes on it for 25 years.

MS. SHAPIRO: Unfortunately, it's a dumping ground in the Town, there are many areas used for dumping grounds, very sadly so, so that's not the only one.

MR. BIAGINI: Wouldn't you rather see a nice home there instead of all that garbage?

MS. SHAPIRO: Well, I'd rather see if we can possibly think a little bit more about open space instead of

sticking homes, wherever we can, this is the big thing we're all hoping for now, a little bit open space, not that you shouldn't build, I know you have the right to build but it appears that this is, I mean, this information appears correct and I think if we have a zoning board it's to correct these things, it's to say no to some things.

MR. KANE: No, ma'am, we're a ZBA, it's his job to say no, which is what they did and it's our job--

MS. SHAPIRO: No, he did a great job, Mike did a great job, I tell you.

MR. KANE: Ma'am, I sat and I listened to you, can you let me finish?

MS. SHAPIRO: Well, I wasn't finished. Can I have a little time to finish?

MR. KANE: A little bit more.

MS. SHAPIRO: Thank you. I understand this is a public hearing, I just got off a plane and ran over here to come and say what I had to say, so please allow me to think but so again, I would ask you to consider not only this application in Town but many of the variances that this Town is giving, now I don't want to go into a lot of them but I understand two gas stations were given variances.

MR. KANE: Ma'am, this is about this application only.

MS. SHAPIRO: Well, this is a public hearing, is it not?

MR. KANE: About this application.

MS. SHAPIRO: So we're not permitted to speak on any other?

MR. KANE: No, not at all, everything is taken--

MS. SHAPIRO: I don't know how the ZBA operates.

MR. KANE: --individual cases one at a time.

MS. SHAPIRO: I would hope that you would reconsider this and not give your okay on this without thinking about some of these points and if you could answer me if what the information I gave you was indeed correct, if it's not, I'd like to be corrected.

MR. KANE: What information would you like?

MS. SHAPIRO: I just read it to you, that he has, doesn't have 1/3 of the required frontage, is that correct or incorrect?

MR. KANE: He needs 27,747 square feet.

MS. SHAPIRO: Is that a lot?

MR. KANE: I don't know what the percentage is.

MS. SHAPIRO: That seems like a lot to me and the folks I discussed it with who seem to know a lot more than I, I know very little about this.

MR. KANE: The numbers that he presented to us are correct.

MS. SHAPIRO: Okay, but is this a large amount of variance the gentleman is requesting?

MR. KANE: Yes.

MS. SHAPIRO: Okay, well, if you permit as this seems to say now what do you actually permit? I'm looking at the sheet here.

MR. KANE: Sixty-five thousand is what's needed.

MS. SHAPIRO: And what's proposed is 37,253?

MR. KANE: Yes.

MS. SHAPIRO: And what's needed is this 27 so I guess it's up to you.

MR. KANE: Yes. Do you have anything else?

MS. SHAPIRO: Thank you for listening to me, no, I don't have anything else except that I do hope that you would really think before you say yes to this.

MR. KANE: No offense, ma'am, we think before each one. So you understand what the zoning board is, Mike's job is the zoning enforcement officer, his job is to enforce the laws, our job is a board of appeals, our job is to have an open mind for the applicant's request for a variation of the law, therefore, our job is not to deny, our job is to listen to what the application is and make a judgment.

MS. SHAPIRO: And then would it then be Mike's ultimate judgment on this application?

MR. KANE: That's why he's here, the only way you get to us.

MS. SHAPIRO: I had no idea.

MR. KANE: The only way that you get to this board is if the building department turns you down and you appeal it and that's how you come before us.

MS. SHAPIRO: Then I guess it's up to Mike now.

MR. KANE: No, it's up to us and we'll let Mike know

what he's doing, he's the enforcement officer.

MS. SHAPIRO: He denied it.

MR. BABCOCK: If they approve it, I'll give him a building permit. If they disapprove it--

MS. SHAPIRO: He said it's up to Mike, I just got off a plane, I might be a little fuzzy, please help me through this.

MR. KANE: Listen carefully please, stop talking. Michael is the enforcement officer, his job and his department's job is to go out and enforce the building laws and the zoning laws. If he sees something or they apply for something that isn't within the law, then he denies them that application then that's his job and his department's job. Then if they want to proceed and appeal his decision then they make an application to come in front of the zoning board so that we can make a decision on which way to go.

MS. SHAPIRO: Well, that helps a lot and will that decision be made tonight?

MR. KANE: Yes, it will.

MS. SHAPIRO: Okay, thank you.

MR. KANE: Anybody else for this particular hearing?

MR. MIHALCO: Emil Mihalco, 387 Old Forge Hill Road right on the north side of that property. I've got a lot of water problems right now already, you're going to cut trees down to put the house in?

MR. BIAGINI: Not the tree line along the back of the building.

MR. MIHALCO: My property.

MR. BIAGINI: She's concerned with the trees in back of the Shop Rite tree line there.

MR. MIHALCO: I'm actually on the Forge Hill Road side, what about the trees there?

MR. BIAGINI: We'll only cut down the ones that we need to get into the property to construct the house, we don't want to take down any more than we have to, that's for sure.

MR. MIHALCO: How big is the building?

MR. BIAGINI: It's 48 x 30.

MR. MIHALCO: Two stories high?

MR. BIAGINI: A story and a half, bi-level style.

MR. MIHALCO: And what about parking, how much blacktop?

MR. BIAGINI: Just for the driveway like a regular house, not going to be a parking lot or nothing like that.

MR. MIHALCO: Can't put anything smaller in there?

MR. KANE: A 48 x 30 is pretty much a normal house.

MR. BIAGINI: Do you know where Stanford used to live, the gray bi-level, that's the first one as you come in, its the same size as that, that's 48 x 28.

MR. MIHALCO: Well, this property is uphill from mine, I've got water problems now and I think if you start clearing trees out, if you look at my driveway at the end of my driveway water that comes down Old Forge Hill Road and water that comes off the hill, I'm in a wet

spot.

MR. BIAGINI: That's the natural form of the ground, we'll put a curtain drain around whatever we have to do so you don't get any water and the building department will make sure I do that.

MR. MIHALCO: Is this the picture?

MR. BIAGINI: That's the layout of the land.

MR. MIHALCO: This is the way you're putting the building?

MR. BIAGINI: No, it's going the other way.

MR. KANE: Okay, anybody else? Name and address.

MS. HERRING: Edith Herring, 63 Vails Gate Heights Drive, I just have a couple questions.

MR. KANE: Please go ahead.

MS. HERRING: Where is the road going to be, you know, the road that you have that you cleaned out, is that where the road is going to be?

MR. BIAGINI: That's where it's going to be.

MS. HERRING: This is the road right here?

MR. BIAGINI: Yes.

MS. HERRING: Where is the house going to be?

MR. BIAGINI: Right in here.

MS. HERRING: Okay, so I thought I saw 63.

MR. KANE: Those are the tax map numbers.



MS. HERRING: Which way is the back of the house, is the back towards the back of my townhouse, you know how the townhouses go, is the back of your house going to be that way?

MR. BIAGINI: Right.

MS. HERRING: And the yard?

MR. BIAGINI: On the other side.

MS. HERRING: How is the house going to sit, kind of in the middle of the lot or when the people are in their back they won't be so close to mine?

MR. BIAGINI: No, it will be in the middle.

MS. HERRING: You're going to cut those trees down?

MR. BIAGINI: Just in the area where we have to build the house, that's it.

MS. HERRING: You see all the garbage. You're going to have a lawn back there, some of the garbage has to be out, I mean, you know what I'm talking about?

MR. KRIEGER: He's talking about the trees.

MS. HERRING: I have no problem. Thank you.

MR. KANE: Ma'am, from the other two applicants I got a good sense of what they want, for, against, don't care?

MS. HERRING: It's okay.

MR. MIHALCO: I'm against that also.

MR. KANE: I got that from you, sir.

MS. SHAPIRO: May we speak again?

MR. KANE: No, one at a time, we're not repetitive.

MS. SHAPIRO: We're not repetitive, I see, okay.

MR. KANE: What do you have to say, ma'am?

MS. SHAPIRO: Well, what I have to say is I'm also concerned about trees.

MR. KANE: You stated that, you talked about the tree line.

MS. SHAPIRO: I'd like to state it again and doubly since I hear this gentleman talk about the water problems which I hadn't even thought about I think there's a pretty, a pretty serious situation.

MR. KANE: You're repeating what he said, we took that information in, if you have something new to present.

MS. SHAPIRO: I'd like to be on record right now, I have nothing new to present.

MR. KANE: Thank you. Anybody else for this particular hearing? Okay, we'll close the public portion of the hearing, ask Myra how many mailings we had.

MS. MASON: On May 19, I mailed out 71 envelopes and had no response.

MR. KANE: The one neighbor and you had talked about putting a curtain drain behind?

MR. BIAGINI: Whatever's needed so there's not a water problem.

MR. KANE: No water problems going around and you don't have a problem with that being a consideration?

MR. BIAGINI: Not at all.

MR. KANE: Does the board have any other questions?

MR. LUNDSTROM: One question, this plot plan that you gave us shows five units.

MR. BIAGINI: That was the old one.

MR. LUNDSTROM: What you're talking about now is just reduce that from five units to two units?

MR. BIAGINI: Right.

MR. LUNDSTROM: So therefore the coverage would be substantially less than what was proposed?

MR. BIAGINI: Yes, a lot less.

MR. KANE: Anybody else?

MS. LOCEY: I don't have any.

MR. KANE: I would accept a motion from the board, please remember to add a notation about curtain drains.

MS. LOCEY: I will offer a motion regarding the application of Highland Operating LTD to grant request for 27,747 square foot minimum lot area and 105 foot minimum lot width and 50 foot lot frontage variances for a proposed two-family dwelling on two vacant lots to be combined to one at Old Forge Hill Road in an R-5 zone contingent upon--

MR. KRIEGER: On the condition that a curtain drain or similar drainage construction be installed as needed.

MR. TORPEY: I second that.

June 12, 2006

35

ROLL CALL

MR. LUNDSTROM	AYE
MR. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE



# THE SENTINEL

P.O. BOX 406  
VAILS GATE, NY 12584

## Invoice

Date	Invoice #
6/8/2006	7772

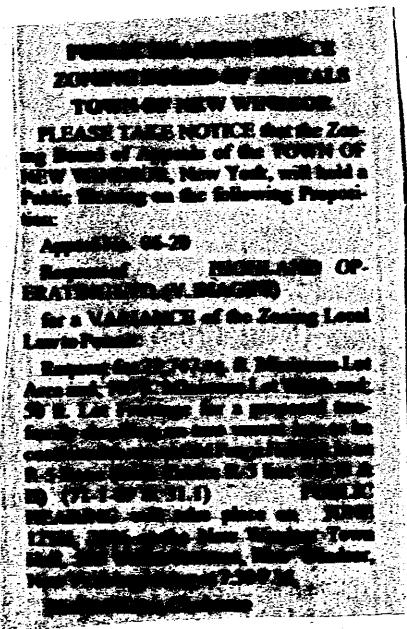
Bill To	WU.
TOWN OF NEW WINDSOR 555 UNION AVE NEW WINDSOR, NY 12553	

RECEIVED  
JUN 27 2006  
TOWN OF NEW WINDSOR  
COMPTROLLER'S OFFICE

P.O. No.	Terms	Project
44891	Due on receipt	

Issue Date	Description	PCS/Units	Amount
5/19/2006	LEGAL ADS: APPEAL NO 06-20 HIGHLAND OPERATING LTD (V. BIAGINI)	9.88	9.88
	1 AFFIDAVIT	4.00	4.00
Total			\$13.88

VISA, MASTERCARD, AMERICAN EXPRESS PAYMENTS ACCEPTED, CALL (845) 562-1218



State of New York  
County of Orange, ss:  
Patricia Quill being duly  
sworn disposes and says that she is The  
Supervisor of Legal Dept. of the E.W. Smith  
Publishing Company; Inc. Publisher of The  
Sentinel, a weekly newspaper published and  
of general circulation in the Town of New  
Windsor, Town of Newburgh and City of  
Newburgh and that the notice of which the  
annexed is a true copy was published 1X  
in said newspaper, commencing on  
the 19 day of May A.D., 2006  
and ending on the 19 day of May  
A.D. 2006

*Patricia Quill*

Subscribed and shown to before me  
this 22<sup>nd</sup> day of June, 2006 \_\_\_\_\_.

*Deborah Green*

Notary Public of the State of New York  
County of Orange.

DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
# 4884086  
Commission Expires July 15, 2007

My commission expires \_\_\_\_\_



RESULTS OF Z.B.A. MEETING OF: June 12, 2006

PROJECT: Highland Operating ZBA # 06-20  
P.B.# \_\_\_\_\_

USE VARIANCE: \_\_\_\_\_ NEED: EAF \_\_\_\_\_ PROXY \_\_\_\_\_

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

NEGATIVE DEC: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

SCHEDULE PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ☒

VARIANCE APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

~~GANN~~ \_\_\_\_\_  
LUNDSTROM A  
LOCEY A  
TORPEY A  
KANE A

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

Applicant to put in Curtain drains to guard  
against water problems for Michalos  
Two Family House

TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

PUBLIC HEARING FOR: Highland Operating

DATE: June 12, 2006

SIGN-IN SHEET

	NAME	ADDRESS	PHONE NUMBER
1.	<u>Joan Shapiro</u>	<u>45 V.G. Hb Dr</u>	<u>(Against)</u>
2.	<u>Emil Mitalco</u>	<u>387 Old Forge Hill Rd</u>	<u>spoke the water problem (Against)</u>
3.	<u>Edith Herring</u>	<u>63 V.G. Hb Dr.</u>	<u>(for it)</u>
4.			
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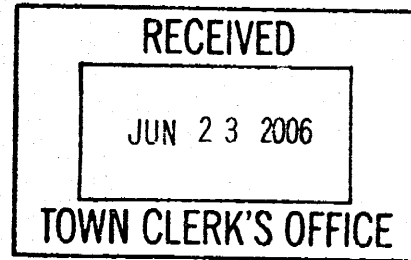




# TOWN OF NEW WINDSOR

**TOWN CLERK'S OFFICE**  
565 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (845) 563-4611  
Fax: (845) 563-4670

cc: M. Mason



## REQUEST FOR PUBLIC RECORDS

Date: 6/23/06

Name: Iron Shapiro Joan Ruffino

Address: 45 Vails Gate Hts Dr. 315 Burroughs Lane  
New Windsor, NY New Windsor, New York 12553

Phone: ( 1 565-7514 ) 845 562-5709

Representing: \_\_\_\_\_

### **Please specify:**

- **Property location (street address or section, block and lot number)**
- **Department you are requesting records from**
- **Describe information requested as fully as possible**

Planning + Zoning file for Highland Operating  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Documents may not be taken from this office.**

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

-X

## HIGHLAND OPERATING

# AFFIDAVIT OF SERVICE BY MAIL

**#06-22**

# X

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF ORANGE )

**MYRA L. MASON, being duly sworn, deposes and says:**


That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 19TH day of MAY, 2006, I compared the 71addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason  
Myra L. Mason, Secretary

19<sup>th</sup> day of May, 2006

  
Notary Public

**JENNIFER MEAD**  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified in Orange County  
Commission Expires 10/30/2006



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## ZONING BOARD OF APPEALS

May 18, 2006

Highland Operating Ltd.  
P.O. Box 479  
Washingtonville, NY 10992

SUBJECT: REQUEST FOR VARIANCE #06-20

Dear Mr. Biagini:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The charge for publication in the Sentinel will be deducted from your escrow that was posted with your application papers.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

Old Forge Hill Road  
New Windsor, NY

is scheduled for the June 12<sup>th</sup>, 2006 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-3101

## Assessors Office

May 3, 2006

Highland Operating LTD  
ATT: Vince Biagini  
P.O. Box 479  
Washingtonville, NY 10992

Re: 71-1-69 & 31.1      ZBA#: 06-20 (71)

Dear Mr. Biagini:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$95.00, minus your deposit of \$25.00.

Please remit the balance of \$70.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wile, IA  
Sole Assessor

JTW/tmp  
Attachments

CC: Myra Mason, Zoning Board

35-1-61  
Newburgh City School District  
ATT: E. Phillips  
124 Grand Street  
Newburgh, NY 12550

49-1-26  
Orfeo Cicchetti  
1505 Midhurst Court  
Raleigh, NC 27614

71-1-1  
Catherine & John Encke  
419 Old Forge Hill Road  
New Windsor, NY 12553

71-1-4  
Amadika Harris  
Dorothy Huffman  
413 Old Forge Hill Road  
New Windsor, NY 12553

71-1-7  
Irma Martini  
407 Old Forge Hill Road  
New Windsor, NY 12553

71-1-10  
Sonnie & Diane Warshaw  
23 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-13  
Annette Ziegler  
29 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-16  
Raymond & Grace Skopin  
35 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-19  
Stephen & Annelie Coyle  
41 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-22  
Jun Hui Yang  
47 Vails Gate Heights Drive  
New Windsor, NY 12553

49-1-23.1 & 24  
Carmine Andriuolo  
363 Windsor Highway  
New Windsor, NY 12553

49-1-27  
Reziero Vitolo  
87 Mill Street  
Wallkill, NY 12589

71-1-2  
Ying Qi Yang  
P.O. Box 188  
Vails Gate, NY 12584

71-1-5  
Michael & Sheila Brock  
411 Old Forge Hill Road  
New Windsor, NY 12553

71-1-8  
Betty Lawrence  
405 Old Forge Hill Road  
New Windsor, NY 12553

71-1-11  
Ronald & Marie Perry  
25 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-14  
David & Sonia Borrero  
31 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-17  
Vincent Schmidt  
37 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-20  
Meredith Elaine Baker  
43 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-23  
Juvencio Navedo  
Harriet Johnson Navedo  
49 Vails Gate Heights Drive  
New Windsor, NY 12553

49-1-25  
Vittorio & Lucy Vitolo  
30 Heather Court  
Middletown, NY 10940

65-2-12.1  
WVR Real Estate II LLC  
4 Coates Drive – Suite 1  
Goshen, NY 10924

71-1-3  
Roseanna & Alfred Ruger, Sr.  
415 Old Forge Hill Road  
New Windsor, NY 12553

71-1-6  
Luis & Jeanine Rosado Maisonet  
409 Old Forge Hill Road  
New Windsor, NY 12553

71-1-9  
Rose Karpinski  
21 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-12  
Barbara Levy  
27 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-15  
Steven & Ronni Warshaw  
33 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-18  
Thelma Zelkind  
39 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-21  
Martin & Frances Shapiro  
45 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-24  
Frank Robinson  
51 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-25.1 & 71-1-67

Carmine Pacione  
393 Old Forge Hill Road  
Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-27

Sally Schreiner  
9130 Taverna Way  
Boyton Beach, FL 33437

71-1-30

Peter & Lucy Martini  
65 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-33

James Kilcullen  
632 South 8<sup>th</sup> Street  
New Hyde Park, NY 11040

71-1-36

Alberto & Mary Zeneri  
79 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-39

Regina Mitchell  
85 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-42

Ingrid Anderson  
91 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-66

Jerline & Zelda Ware  
401 Old Forge Hill Road  
New Windsor, NY 12553

71-2-2

Lorayne & Edwin Wolff, Jr.  
80 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-5

John Maresca  
86 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-25.2

Derek Carney  
55 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-28

Christopher Isaacs  
Sandra Jackson  
61 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-31.2

George Michael Encke  
Jean Dalton  
69 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-34

Salvatore & Concetta Petrolese  
75 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-37

Josika Gojka  
Adrian Bitz  
225 Lakeside Road  
Newburgh, NY 12550

71-1-40

Kewal Singh  
87 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-43

Elizabeth McMahon  
Marjorie Windheim  
93 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-68

Emil Mihalco, Jr.  
Bernice Sapiel  
387 Old Forge Hill Road  
New Windsor, NY 12553

71-2-3

Robert & Harriet Klein  
82 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-6

Marisa Colson  
88 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-26

Eric Asmann  
57 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-29

David & Edith Herring  
63 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-32

Drena Cocchia  
71 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-35

Carmine & Norma Luongo  
77 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-38

Thomas Lewis  
Claudia Rudin  
P.O. Box 4253  
New Windsor, NY 12553

71-1-41

Jean & Marie Baptiste  
89 Vails Gate Heights Drive  
New Windsor, NY 12553

71-1-65

Alton & Theresa Christianson  
397 Old Forge Hill Road  
New Windsor, NY 12553

71-2-1.1, 1.21 & 1.22

New Windsor Properties, LLC  
c/o Peck & Heller  
545 Madison Avenue – 11<sup>th</sup> Floor  
New York, NY 10022

71-2-4

Hector & Carol Kercado  
84 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-7

Scott & Nicole Erskine  
90 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-8  
Bernard Dolan  
92 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-11  
Susan & David Hurd  
102 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-14  
Domenica Contant  
108 Vails Gate Heights Drive  
New Windsor, NY 12553

71-3-2  
Vails Gate, Inc.  
362 Windsor Highway  
New Windsor, NY 12553

71-2-9  
Nuncio & Mirian Diaz  
96 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-12  
Abraham Adams  
78 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-15  
Thomas & Billie Mae Napolitano  
110 Vails Gate Heights Drive  
New Windsor, NY 12553

71-3-3  
Jamal Realty, LLC  
P.O. Box 311  
Yonkers, NY 10710

71-2-10  
Willie Kimbrough, Jr.  
100 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-13  
Juan Ortiz, Jr.  
106 Vails Gate Heights Drive  
New Windsor, NY 12553

71-2-16  
Leon Saunders  
c/o Ayana Brown  
223 Mount Vernon Avenue  
Orange, NJ 07050

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

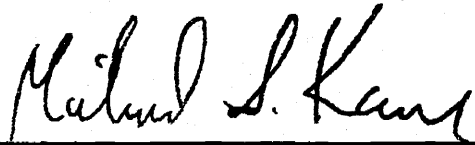
**Appeal No. 06-20**

**Request of HIGHLAND OPERATING LTD. (V. BIAGINI)**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for 27,747 sq. ft. Minimum Lot Area and; 105 ft. Minimum Lot Width and; 50 ft. Lot Frontage for a proposed two-family dwelling on two vacant lots to be combined to one at Old Forge Hill Rd. in an R-5 Zone (Bulk Tables R-5 line 6-C,D & H) (71-1-69 & 31.1)**

**PUBLIC HEARING will take place on JUNE 12<sup>TH</sup>, 2006**  
**at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York**  
**beginning at 7:30 P.M.**



**Michael Kane, Chairman**



**Town of New Windsor**

555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#326-2006**

04/21/2006

Highland Operating Corp.

Received \$ 50.00 for Zoning Board Fees, on 04/21/2006. Thank you for  
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

**Deborah Green**  
Town Clerk

ZBA 06-20

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**  
**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 04-20-06

FOR: ESCROW 06-20

FROM:  
**Highland Operating Ltd.**  
**P.O. Box 479**  
**Washingtonville, NY 10992**


CHECK FROM:  
SAME

CHECK NUMBER: 3447

TELEPHONE: 561-2234

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

  
\_\_\_\_\_  
NAME

4/21/06  
\_\_\_\_\_  
DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

HIGHLAND\_OPERATING\_LTD.\_(BIAGINI)\_(06-20)

MS. GANN: Request for 27,747 square foot minimum lot area and 105 foot minimum lot width and 50 foot lot frontage for a proposed two-family dwelling on two vacant lots to be combined to one at Old Forge Hill Road.

Mr. Robert Biagini appeared before the board for this proposal.

MR. BIAGINI: I'm Robert Biagini from Highland Operating, I'd like permission to construct a two-family dwelling in back of Shop Rite on Old Forge Hill Road and to do so, I need, I have two lots which I'd like to combine together and with doing that I run into a problem on my lot width, total square footage and my front yard.

MR. KRIEGER: Even after the lots are combined?

MR. BIAGINI: Yes.

MR. KRIEGER: Two-family dwelling is an allowed use in that zone?

MR. BIAGINI: Yes. As you can see, the lots have been sitting there for years, people use them for garbage and whatever else they want to discard.

MS. GANN: How big will the two-family dwelling be?

MR. BIAGINI: It's 70 x 30, foundation will be 70 x 28 with a two foot cantilever, it's a bi-level style two family.

MS. GANN: How are they getting in and out of the property?

MR. BIAGINI: See on the back side on the tax map copy

April 24, 2006

14

which I have enclosed, show you a copy, this is the driveway here by, this is Old Windsor Drive off Forge Hill, this is the two lots.

MS. GANN: Okay.

MR. LUNDSTROM: Would you explain this drawing that we're looking at?

MR. BIAGINI: That was a drawing previously that we were going to put the condos on just, sent this in to you to show you lot area but it's still the same two lots, this is the tax map here, this might be a little easier for you to read.

MR. LUNDSTROM: So you're combining these two to put one two-family house on it?

MR. BIAGINI: Right.

MR. LUNDSTROM: Do we have any drawings in our package to show us where the two-family house will be going?

MR. BIAGINI: Yes.

MS. GANN: So Mike he wouldn't qualify for the old zoning code in that situation?

MR. BABCOCK: No, the time limits have run out, the house that he's proposing doesn't require any setback variances, it meets all the front yards and rear yards and side yards, what he doesn't meet is the lot width because if you can see the neck of the lot it's only a 20 foot section and today's requirements lot width is measured at the front yard setback which is 45 feet down that neck so therefore he only gets 20 foot credit and it's required to be 125 so that's why the big number of 105 lot width. The house isn't up there, the house is down in the back. The required road frontage is 70 feet and he's only got 20 on the road so he's

required 50, the lot area and I don't know what it was, I think Bob if you can find out what it was when these lots were created just for the board's information that if he would have done this or come in for a building permit prior to the zoning change he would need maybe he wouldn't need a variance and maybe he would need, it would be definitely less if he needed one at all cause it's 37,000 square feet, it's a big lot.

MS. MASON: It says on the map 7,000 per unit.

MR. BABCOCK: Yeah, that's for the condos are 57,000 square foot per unit, but if you look at the tax map if you have that tax map like this, if you look at these lots, these lots above it, these are all single family houses, they're townhouses, they're attached but they're each one there is a house on each one of those lots which is 20 by 100, 2000 square feet and this thing is 37,000 square feet.

MR. LUNDSTROM: Mr. Biagini, just out of curiosity, the plan we're looking at here shows the original 5 townhouses there, why did you decide to change from 5 townhouses to one two-family house?

MR. BIAGINI: Because I figured it would be a little tight on the lot just to make it a lot simpler, the neighbors wouldn't be up in arms opposed to a two family as opposed to all the condos.

MR. TORPEY: The townhouses are right next to it are two family, just little townhouses, they're the same anyway.

MR. BIAGINI: Leave a little more open area with just the two family.

MR. KRIEGER: You own both of these lots?

MR. BIAGINI: Yes.

MR. KRIEGER: And it's your intention to combine them?

MR. BIAGINI: Yes.

MR. KRIEGER: That would be acceptable to you if that was a condition that the board imposed to grant your request?

MR. BIAGINI: Right.

MR. LUNDSTROM: Are there any significant trees or vegetation you intend to take down?

MR. BIAGINI: A few, not much.

MS. GANN: You can see the pictures.

MR. TORPEY: You'll be cleaning it up.

MR. BIAGINI: Yeah, it's a mess in there.

MR. LUNDSTROM: Just a question we have to ask.

MS. GANN: Creating water hazards?

MR. BIAGINI: No.

MR. LUNDSTROM: Any easements that the new dwelling would be going over?

MR. BIAGINI: Not to my knowledge, no.

MR. KRIEGER: You've had it surveyed, right?

MR. BIAGINI: Right.

MR. KRIEGER: Nothing showed up on the survey?

MR. BIAGINI: Right.

MR. KRIEGER: So it won't be inferring with any easements either?

MR. BIAGINI: Right.

MS. GANN: Will the two-family home fit into the character of the neighborhood?

MR. BIAGINI: Yes, there's a bi-level house next to it, it will fit.

MR. TORPEY: Who gets to maintain that when it's done, who maintains it?

MR. BIAGINI: Whoever owns it.

MR. TORPEY: Actually going to be townhouses?

MR. BIAGINI: No, one person will own the whole thing.

MR. BABCOCK: It will be a one family ownership and they'll rent out the other side and they'll maintain the driveway or they can rent out both sides and maintain it.

MS. GANN: Any other questions from the board? I'll accept a motion.

MS. LOCEY: I will offer a motion to schedule a public hearing on the application of Highland Operating Ltd for their request for 27,747 square foot minimum lot area, 105 foot minimum lot width and 50 foot lot frontage for proposed two-family dwelling on two vacant lots to be combined to one at Old Forge Hill Road in an R-5 zone.

MR. TORPEY: I'll second that.

ROLL CALL

April 24, 2006

18

MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MS. GANN	AYE





RESULTS OF Z.B.A. MEETING OF: April 24 2006

PROJECT: Highland Operating ZBA # 06-20  
P.B.# \_\_\_\_\_



USE VARIANCE: \_\_\_\_\_ NEED: EAF \_\_\_\_\_ PROXY \_\_\_\_\_

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

NEGATIVE DEC: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_


GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

SCHEDULE PUBLIC HEARING: M) Lo S) I VOTE: A 4 N 0

 GANN A  
LUNDSTROM A  
LOCEY A  
TORPEY A  
KANE \_\_\_\_\_

CARRIED: Y ✓ N \_\_\_\_\_

PUBLIC HEARING: \_\_\_\_\_ STATEMENT OF MAILING READ INTO MINUTES \_\_\_\_\_

VARIANCE APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_.

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_.

Lots will be combined  
No Water hazards  
No Easements

CHECKED BY MYRA: OK 4/20/06  
**TOWN OF NEW WINDSOR**  
**REQUEST FOR NOTIFICATION LIST**

DATE: 04-20-06 PROJECT NUMBER: ZBA# 06-20 P.B. # \_\_\_\_\_

APPLICANT NAME: HIGHLAND OPERATING

PERSON TO NOTIFY TO PICK UP LIST:

Highland Operating Ltd.  
P.O. Box 479  
Washingtonville, NY 10992 ATTN: VINCE BIAGINI

TELEPHONE: 561-2234

TAX MAP NUMBER: SEC. 71 BLOCK 1 LOT 69  
SEC. 71 BLOCK 1 LOT 31.1  
SEC. \_\_\_\_\_ B LOCK \_\_\_\_\_ LOT \_\_\_\_\_

PROPERTY LOCATION: OLD FORGE HILL ROAD  
NEW WINDSOR

LIST OF PROPERTY OWNERS WITHIN 500 FT. FOR SITE PLANS/SUBDIVISION \_\_\_\_\_  
(IS NOT PREPARED ON LABELS)

❖ ❖

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: \_\_\_\_\_

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) \_\_\_\_\_

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) \_\_\_\_\_

AGRICULTURAL DISTRICT:  
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'  
OF SITE PLAN OR SUBDIVISION PROJECT) \_\_\_\_\_

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 3448

TOTAL CHARGES: \_\_\_\_\_



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## ZONING BOARD OF APPEALS

April 21, 2006

Highland Operating Ltd.  
P.O. Box 479  
Washingtonville, NY 10992

SUBJECT: REQUEST FOR VARIANCE #06-20

Dear Mr. Biagini:

This letter is to inform you that you have been placed on the April 24<sup>th</sup>, 2006 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

Old Forge Hill Road  
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**



**APPLICATION FOR VARIANCE**

3/29/06

Date

Application Type: Use Variance ☐ Area Variance ☒  
Sign Variance ☐ Interpretation ☐

**I. Owner Information:**

Phone Number: (845) 561-2234  
Fax Number: (845) 561-7096  
(Name) Highland Op Ltd  
(Address) P.O. Bx 479 Nashville N.Y. 10992

**II. Applicant:**

Phone Number: (845) 561-2234  
Fax Number: (845) 561-7096  
(Name) Highland Op Ltd  
(Address) P.O. Bx 479 Nashville N.Y. 10992

**III. Forwarding Address, if any, for return of escrow:**

Phone Number: (845) 561-2234  
Fax Number: (845) 561-7096  
(Name) Highland Op Ltd  
(Address) P.O. Bx 479 Nashville N.Y. 10992

**IV. Contractor/Engineer/Architect/Surveyor/:**

Phone Number (845) 561-2234  
Fax Number: (845) 561 7096  
(Name) Vincent Beagins Fairview Homes Inc  
(Address) P.O. Bx 479 Nashville N.Y. 10992

**V. Property Information:**

Zone: RS Property Address in Question: Old Forge Rd Vac Lot  
Lot Size: 37,253 Tax Map Number: Section 71 Block 1 Lot 69  
a. What other zones lie within 500 feet? 31.1  
b. Is pending sale or lease subject to ZBA approval of this Application? No  
c. When was property purchased by present owner? 1987  
d. Has property been subdivided previously? No If so, When: —  
e. Has an Order to Remedy Violation been issued against the property by the  
Building/Zoning/Fire Inspector? No  
f. Is there any outside storage at the property now or is any proposed? No

\*\*\*\*PLEASE NOTE:\*\*\*\*

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)**

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area	65,000	37,253	27,747
Min. Lot Width	125'	20'	105'
Reqd. Front Yd.	45'	60'	—
Reqd. Side Yd.	20'	43'	—
Reqd. Rear Yd.	50	50' +	—
Reqd. St Front*	70	20	50'
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**COMPLETE THIS PAGE ☐**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

*I purchased parcel in 1987 + was going to build 5 townhouses that was in character with the neighborhood of mainly apts + or condo units as shown on enclosed old map. The economy changed + over time so did requirements, this parcel will benefit the neighborhood by allowing at least a 2 family. The parcel is creating a pass through to Shogun Plaza + is being used as a parcel for debris old furniture etc. a fence was put up + taken down. By allowing a 2 family it will create security + not allow people to use this for illegal activities + beer + drug use.*

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Lots of trees now on site

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☐ Photographs of area that variances is being requested for showing relationship to property lines (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

29<sup>th</sup> day of March 2006.

Vincent Biagini

Owner's Signature (Notarized)

VINCENT BIAGINI

Owner's Name (Please Print)

JENNIFER MEAD  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified In Orange County  
Commission Expires 10/30/2006

Signature and Stamp of Notary

Applicant's Signature (If not Owner)

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

COMPLETE THIS PAGE ☐

**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

for submittal to the:  
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

\_\_\_\_\_, deposes and says that he resides  
(OWNER)

at \_\_\_\_\_ in the County of \_\_\_\_\_  
(OWNER'S ADDRESS)

and State of \_\_\_\_\_ and that he is the owner of property tax map

(Sec. \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_)  
designation number (Sec. \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_) which is the premises described in  
the foregoing application and that he authorizes:

\_\_\_\_\_  
(Applicant Name & Address, if different from owner)

\_\_\_\_\_  
( Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 3/29/06

\*\* Vincent Beayer  
Owner's Signature (MUST BE NOTARIZED)

Sworn to before me this:  
29th day of March 2006

BARBARA E. DECKER  
Notary Public, State of New York  
No. 4635474

\_\_\_\_\_  
Applicant's Signature (If different than owner)

Barbara E. Decker  
Qualified in Orange County  
Commission Expires 1-31-2007

\_\_\_\_\_  
Representative's Signature

Signature and Stamp of Notary

**THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.**

**\*\* PLEASE NOTE:  
ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**

**COMPLETE THIS PAGE ☐**





# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)

Possible  
4/24 Agenda



## ZONING BOARD PROCEDURES

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION (LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

### RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

### MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

### COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

### INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST MEETING.

\*

### ESCROW

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

\*\*

LIST OF PROPERTY OWNERS  
WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:

APPROXIMATE COST FOR  
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME

## **PUBLIC HEARING LIST OF PROPERTY OWNERS**

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
3. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.39 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

### **NOTE:**

**IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.**

### **NOTE:**

**THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.**



EXISTING 10' CONTOUR

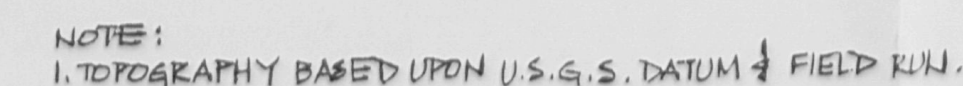
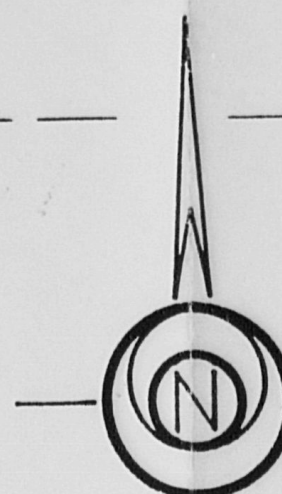
EXISTING 2' CONTOUR

PROPOSED CONTOUR

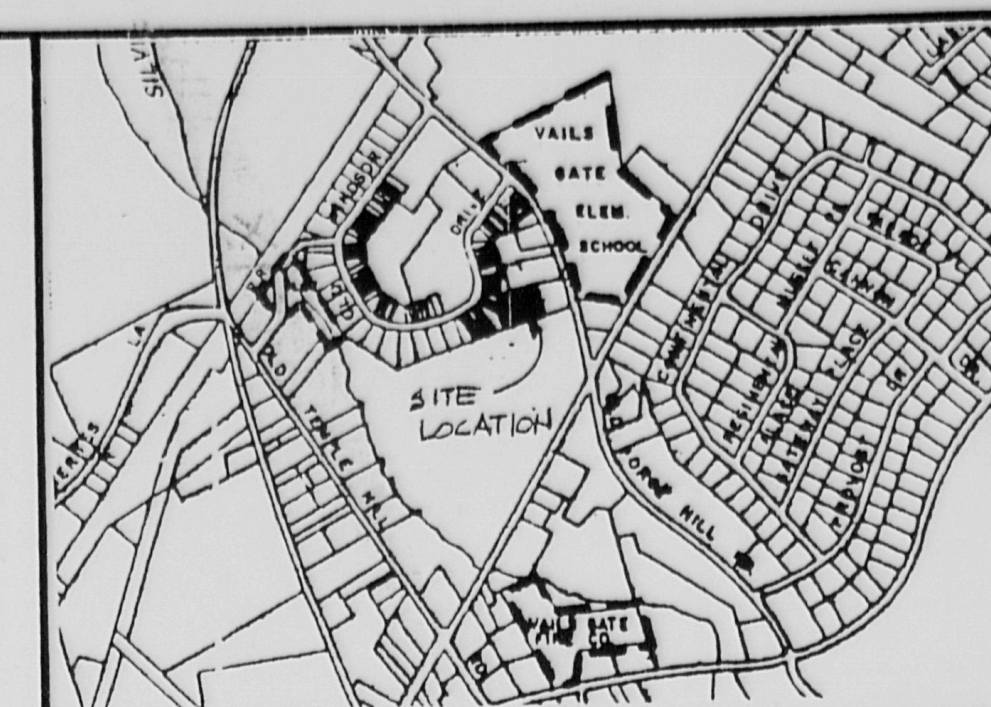
PROPOSED FORCE MAIN

PROP. GRAVITY SEWER LATERAL

PROP. WATER LINE



GERALD ZIMMERMAN, P.L.S. LIC. NO. 49410  
P.E. " " 47391



VICINITY MAP SCALE: 1"=1,000'

DISTRICT: R-5  
MIN. LOT AREA = 7,000 S.F./UNIT  
MIN. LOT WIDTH = 20'  
MIN. FRONT YD = 30'  
MIN. SDE YD. = NONE/35' (IF PROVIDED)  
MIN. REAR YD. = 100'

SECTION: 65                      71  
BLOCK: 2                            1  
LOT: 9                                31.1

L. 2569  
P. 192

HIGHLAND OPTO  
P.O. BOX 479 WOODCOCK MTN. RD,  
WASHINGTONVILLE, N.Y. 10992

37.258 S.F. OR .855 ACRES

OLD WINDSOR ESTATES SUBDIVISION-F.M. #2172 - FILED  
DEC. 2, 1965.

SHEET 1 OF 1	PROPOSED TOWNHOUSES FOR GROVE HOMES INC. (OLD WINDSOR RD.)		
	REVISIONS		
	SCALE: 1" = 20'	JOB NO. 87-25	DRAWN BY: J.F.
	DATE: 5-5-87		
TOWN OF NEW WINDSOR ORANGE COUNTY, NEW YORK ZIMMERMAN ENGINEERING & SURVEYING, P.C. R.T. 17M HARRIMAN, N.Y.			